

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



May 19, 1983

ALL COUNTY INFORMATION NOTICE 1-63-83

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL LICENSED ADOPTION AGENCIES

SUBJECT: COUNTY WELFARE DEPARTMENT AGREEMENTS WITH PROBATION
DEPARTMENT AND ADOPTION AGENCIES

AFDC-FC eligibility for children whose placement and care is the responsibility of probation departments, private adoption agencies, and certain public adoption agencies, is dependent upon the existence of written agreements between the probation department or adoption agency and the county welfare department. Because of recent changes in federal and state laws and regulations, the content of these agreements has been revised and new agreements must now be completed. Copies of these revised agreements are attached.

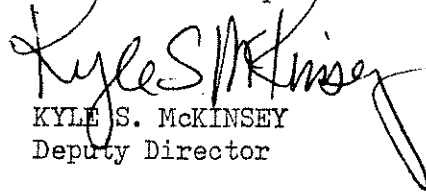
The welfare department shall enter into agreements with each of the following agencies in the county which utilize AFDC-FC funding for placements:

- . probation departments
- . private adoption agencies
- . public adoption agencies which are not part of the county welfare department and not district adoption offices of the State Department of Social Services.

The revised agreements must be completed prior to July 1, 1983. County welfare departments are responsible for submitting a copy of all completed agreements to the Foster Care Program Bureau, 744 P Street, Mail Station 7-185, Sacramento, California 95814, prior to July 15, 1983.

If, at some future date, an adoption agency or probation department which had not previously utilized AFDC-FC funding for placements desires to do so, a written agreement would be required prior to initiation of AFDC-FC payments. Copies of these agreements should also be submitted to the Foster Care Program Bureau.

County welfare departments should address questions regarding these agreements to the Foster Care Program Bureau at (916) 445-0813 (ATSS 485-0813). Probation departments and adoption agencies should address their questions to their local county welfare department.


KYLE S. MCKINSEY
Deputy Director

Attachment

AGREEMENT BETWEEN THE PROBATION DEPARTMENT AND THE WELFARE DEPARTMENT OF
THE COUNTY OF _____, STATE OF CALIFORNIA

This agreement between the probation Department of the County of _____, State of California, referred to as the "probation department", and the Welfare Department of the County of _____, State of California, referred to as the "welfare department", establishes and/or ratifies existing relationships and procedures between these parties effective the date of execution.

The welfare department is responsible for administering the Aid to Families with Dependent Children Program, including the determination of eligibility and the payment of aid, and for assuring that services are provided for children in foster care for whom AFDC-FC is paid.

Part E of Title IV of the Social Security Act provides federal funds and state law (California Welfare and Institutions Code Section 11450) provides state funds in Aid to Families with Dependent Children payments for certain children living in family homes or group homes.

Section 472 of the Social Security Act, state law (California W&IC Section 11404(a)) and EAS 45-202.612 and 45-203.512 require that a written agreement be in effect between the probation department and the welfare department in order to claim federal and/or state AFDC-FC for costs of care for foster children supervised by a probation department.

This agreement applies to a child who:

1. Meets the general AFDC-FC eligibility requirements in EAS 45-201 as well as those requirements specified in EAS 45-202 or EAS 45-203 and all requirements in Chapter 45-300 which apply; and
2. Was removed from his/her home pursuant to a court order which resulted in his/her placement in foster care and which designated the care, custody and control of the child to the probation department.

FOR EACH CHILD, THE PROBATION DEPARTMENT AGREES TO:

1. Place the child in an eligible facility specified in EAS 45-202.5 or EAS 45-203.4, and
 - a. If the child is placed in the home of a relative or guardian, document that the home is suited to the child's needs.
 - b. If the child is placed under the authority of Welfare and Institutions Code Section 362.(b) or 727.(b) into a family home which is certified pending licensure:
 - (1) Certify that the needs of the child cannot be met in any available licensed or exempt facility, including an emergency shelter care facility.
 - (2) Notify the licensing agency of the proposed placement.
 - (3) Verify that a license application is pending and has not been denied.
 - (4) Make a preplacement home visit to determine the suitability of the family home.
 - (5) Certify to the licensing agency in writing that the home meets licensing standards for family homes as defined in Title 22, Division 6 of the California Administrative Code.
 - c. If the child is placed in a licensed group home, document that such placement is necessary to meet the treatment needs of the child and that the facility offers those treatment services.
2. Provide the following services in accordance with Section 471 of the Social Security Act, Sections 11404.(b) and 11404.1 of the Welfare and Institutions Code and EAS 45-201.4:
 - a. Provide preplacement preventive services prior to placement into foster care to children placed into foster care on or after October 1, 1983 and document in the case record why provision of these services was not successful in maintaining the child with his/her family.

- b. Develop a written assessment as defined in 45-101.1 and an initial service plan as defined in 45-101.1 no later than 30 calendar days from the date the probation department became involved with the child or the date the child was removed from his/her parents' or caretakers' home, whichever is later.
 - c. Ensure that periodic reviews, as defined in EAS 45-101.1, are conducted on behalf of the child in placement no less frequently than once every six months.
 - d. Ensure that permanency planning hearings, as defined in EAS 45-101.1, are conducted on behalf of the child within 18 months of the date of placement into foster care and no less frequently than once every 18 months thereafter.
 - e. Update the assessment and service plan at the time of the periodic reviews.
 - f. Provide services to return the child to his or her own home or establish an alternate permanent placement for the child if return home is not possible or is inappropriate.
 - g. Visit the child as often as appropriate, but no less frequently than once every six months.
3. Comply with the informing, offering of assistance with transportation and scheduling and documentation requirements of MPP Section 30-342.35 and 30-376.16(e) with regard to the Child Health Disability Prevention (CHDP) Program.
 4. Provide the welfare department with:
 - a. A statement on a form prescribed by the Department of Social Services which certifies that:
 - (1) The requirements in 1 and 2, above, have been met;
 - (2) The child meets the authority for placement requirement of EAS 45-202.4 or EAS 203.313.
 This certification shall occur as specified in EAS 45-201.4, 45-202.52, and 45-203.42.
 - b. A copy of:
 - (1) The court order which resulted in the child's placement in foster care.
 - (2) The mutual agreement signed by an 18 year old child as required by EAS 45-201.111(c), if applicable.
 - c. All information needed by the welfare department to determine the child's initial and continuing eligibility for AFDC-FC, to whom payment shall be made, and the amount of payment to be made.
 - d. Immediate notification of any events which may affect the child's eligibility for AFDC-FC. Some of these are: change in the child's income or property, a change in or termination of the child's placement or a change in the school attendance or employment of a child over the age of 16.
 5. Complete and submit written and statistical reports required by the welfare department and the State Department of Social Services.

THE WELFARE DEPARTMENT AGREES TO:

1. Provide the probation department with information and brochures on the Child Health and Disability Prevention Program and all regulations and other information on policy changes;
2. Determine eligibility for Aid to Families with Dependent Children and pay aid as appropriate under applicable federal and state statutes and regulations.

The probation department understands that state and federal participation in AFDC-FC payments depends on completion of 1, 2, and 3 above, and on submission of all written reports and information required in 4 and 5, above.

Signed this _____ day of _____, 19 _____

By: _____
Chief Probation Officer

By: _____
County Welfare Director

AGREEMENT BETWEEN THE LICENSED ADOPTION AGENCY AND THE WELFARE DEPARTMENT
OF THE COUNTY OF _____, STATE OF CALIFORNIA

This agreement between the licensed adoption agency known as _____, situated in the County of _____, State of California, referred to as the "adoption agency", and the Welfare Department of _____ County, State of California, referred to as the "welfare department", established and/or ratifies existing relationships and procedures between these parties effective the date of execution.

The welfare department is responsible for administering the Aid to Families with Dependent Children Program, including the determination of eligibility and the payment of aid, and for assuring that services are provided for children in foster care for whom AFDC-FC is paid.

Part E of Title IV of the Social Security Act provides federal funds and state law (California Welfare and Institutions Code Section 11450) provides state funds in Aid to Families with Dependent Children payments for certain children living in family homes or group homes.

Section 472 of the Social Security Act and state regulations in EAS 45-202.614 and 45-203.514 require that a written agreement be in effect between the adoption agency and the welfare department in order to claim federal and/or state AFDC-FC for costs of care for foster children supervised by an adoption agency.

This agreement applies to a child who meets the general AFDC-FC eligibility requirements in EAS 45-201 as well as those requirements specified in EAS 45-202 or EAS 45-203 and all requirements in Chapter 45-300 which apply; and

1. Has been relinquished to a public or private adoption agency by one or both parents or has been declared free from the care, custody and control of one or both parents; or
2. Prior to relinquishment by one or both parents:
 - a. Has been accepted for voluntary placement by the welfare department or by a public or private adoption agency; or
 - b. Has been accepted for voluntary placement by the welfare department which has delegated placement and care to a private adoption agency.

FOR EACH CHILD, THE ADOPTION AGENCY AGREES TO:

1. Place the child in an eligible facility specified in EAS 45-202.5 or EAS 45-203.4, and
 - a. If the child is placed in the home of a relative, document that the home is suited to the child's needs.
 - b. If the child is placed under the authority of Welfare and Institutions Code Section 16507.5 into a family home which is certified pending licensure:
 - (1) Certify that the needs of the child cannot be met in any available licensed or exempt facility, including an emergency shelter care facility.
 - (2) Notify the licensing agency of the proposed placement.
 - (3) Verify that a license application is pending and has not been denied.
 - (4) Make a preplacement home visit to determine the suitability of the family home.
 - (5) Certify to the licensing agency in writing that the home meets licensing standards for family homes as defined in Title 22, Division 6 of the California Administrative Code.
 - c. If the child is placed in a licensed group home, document that such placement is necessary to meet the treatment needs of the child and that the facility offers those treatment services.
2. Provide the following services in accordance with Section 471 of the Social Security Act, Sections 11404.(b) and 11404.1 of the Welfare and Institutions Code and EAS 45-201.4:
 - a. If the child has not been relinquished by one or both parents, provide preplacement preventive services prior to placement into foster care to children placed into foster care on or after October 1, 1983 and document in the case record why provision of these services was not successful in maintaining the child with his or her family.

- b. Develop a written assessment as defined in 45-101.1 and an initial service plan as defined in 45-101.1 no later than 30 calendar days from the date the adoption agency became involved with the child or the date the child was removed from his/her parents' or caretakers' home, whichever is later.
 - c. Ensure that periodic reviews, as defined in EAS 45-101.1, are conducted on behalf of the child in placement no less frequently than once every six months.
 - d. Ensure that permanency planning hearings, as defined in EAS 45-101.1, are conducted on behalf of the child within 18 months of the date of placement into foster care and no less frequently than once every 18 months thereafter.
 - e. Update the assessment and service plan at the time of the periodic reviews.
 - f. Provide services to return the child to his or her own home or establish an alternate permanent placement for the child if return home is not possible or is inappropriate. Welfare and Institutions Code Section 300.1 provides that, "... family reunification services shall not be provided to a minor adjudged a dependent pursuant to subdivision (e) of Section 300."
 - g. Visit the child as often as appropriate, but no less frequently than once every six months.
3. Comply with the informing, offering of assistance with transportation and scheduling and documentation requirements of MPP Section 30-342.35 and 30-376.16(e) with regard to the Child Health Disability Prevention (CHDP) Program.
 4. Provide the welfare department with:
 - a. A statement on a form prescribed by the Department of Social Services which certifies that:
 - (1) The requirements in 1 and 2, above, have been met;
 - (2) The child meets the authority for placement requirement of EAS 45-203.311 for relinquishment or EAS 45-203.314 for voluntary placement.This certification shall occur as specified in EAS 45-201.4, 45-202.52, and 45-203.42.
 - b. A copy of:
 - (1) The voluntary placement agreement, if applicable;
 - (2) The mutual agreement signed by an 18-year-old child as required by EAS 45-201.111(c), if applicable.
 - c. All information needed by the welfare department to determine the child's initial and continuing eligibility for AFDC-FC, to whom payment shall be made, and the amount of payment to be made.
 - d. Immediate notification of any events which may affect the child's eligibility for AFDC-FC. Some of these are: change in the child's income or property, a change in or termination of the child's placement or a change in the school attendance or employment of a child over the age of 16.
 5. Complete and submit written and statistical reports required by the welfare department and the State Department of Social Services.

THE WELFARE DEPARTMENT AGREES TO:

1. Provide the adoption agency with information and brochures on the Child Health and Disability Prevention Program and all regulations and other information on policy changes;
2. Determine eligibility for Aid to Families with Dependent Children and pay aid as appropriate under applicable federal and state statutes and regulations.

The adoption agency understands that state and federal participation in AFDC-FC payments depends on completion of 1, 2, and 3 above, and on submission of all written reports and information required in 4 and 5, above.

Signed this _____ day of _____, 19 _____

By: _____
Executive Director

By: _____
County Welfare Director